

**INVENTOR'S DECLARATION FOR
PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

**SYSTEMS AND METHODS FOR DETECTION OF LOW CONCENTRATIONS OF MOLECULES
USING SURFACE ENHANCED RAMAN SPECTROSCOPY**

the specification of which: (check one).

 X is attached hereto.

_____ was filed on _____
under Attorney's Docket Number _____
as Application Serial No. _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

(Application Number)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below.

09/852,992	May 10, 2001	Pending
(Application Number)	(Filing Date)	Status

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign applications for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Claimed

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF INVENTOR: Wayne A. Weimer

INVENTOR'S SIGNATURE: Wayne A. Weimer

DATED: 11-11-03

RESIDENCE: Plano, Texas

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: 2813 Firethorn Circle, Plano, TX 75093

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM

Application Number	Filed Herewith
Filing Date	
First Named Inventor	WEIMER, Wayne A.
Title	
Art Unit	
Examiner Name	
Attorney Docket Number	P013CP1/34003.31

I hereby appoint:

☒ Practitioners associated with the Customer Number:

000027683

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Name John Randall

Signature

Date

Telephone 972-235-7881

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

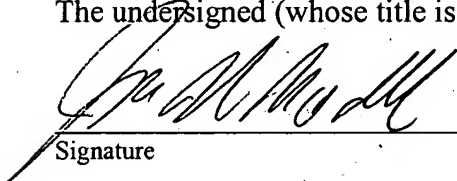
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	§	
Wayne A. WEIMER	§	
	§	
Application No.: Not yet assigned	§	Art Unit: Not yet assigned
	§	
Filed: Herewith	§	Examiner: Not yet assigned
	§	
For: SYSTEMS AND METHODS	§	
FOR DETECTION OF LOW	§	
CONCENTRATIONS OF	§	
MOLECULES USING	§	
SURFACE ENHANCED	§	
RAMAN SPECTROSCOPY	§	

STATEMENT UNDER 37 CFR 3.73(b)

Zyvex Corporation, a Texas corporation, states that it is the assignee of the entire right, title, and interest in the patent application identified above by virtue of an assignment from the inventor(s) of the patent application identified above, for which a copy thereof is attached.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.


Signature

JOHN RANDALL

Chief Technology Officer

11/11/2003
Date

COPY

Patent / Docket No. P013CP1/34004.31

Customer No. 27683

ASSIGNMENT

WHEREAS, I

Wayne A. Weimer

COPY
of Plano
State of Texas, USA

COPY

have invented certain improvements in

**SYSTEMS AND METHODS FOR DETECTION OF LOW CONCENTRATIONS OF
MOLECULES USING SURFACE ENHANCED RAMAN SPECTROSCOPY**

for which I have executed an application for Letters Patent of the United States of America, of even date herewith; and

WHEREAS, Zyvex Corporation (Assignee), a corporation organized and existing under the laws of the State of Texas, having its principal office and place of business in the City of Richardson, State of Texas, is desirous of obtaining the entire right, title, and interest in, to and under the said invention and the said application in the United States of America and in any and all countries foreign thereto;

NOW, THEREFORE, for One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and other good and valuable consideration, I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said Assignee, its successors, legal representatives, and assigns, the entire right, title, and interest in, to and under the said invention, and the said application, and all divisional, renewal, substitutional, and continuing applications thereof, and all Letters Patent of the United States of America which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may be filed for said invention in any country or countries foreign to the United States of America, and all extensions, renewals, and reissues thereof, and all prior patents and patent applications from which a filing priority of the above-described patent application may be obtained, including the right to collect past damages; and I hereby authorize and request the Director of the United States Patent and Trademark Office, and any official of any country or countries foreign to the United States of America, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said invention to the said Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to said Assignee, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all divisional, renewal, substitutional, continuing, and reissue applications, make all rightful declarations and/or oaths and generally do everything possible to aid the said Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention in all countries.

COPY

Inventor Name: Wayne A. Weimer
Residence Address: 2813 Firethorn Circle
Plano, TX 75093

Dated: 11-11-03

[Signature]
Inventor Signature

Dated: 11/11/03

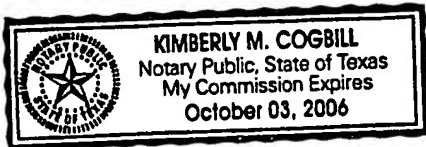
[Signature]
Witness Signature
Witness Name: PAUL ROCHESTER

COPY

State of Texas)
County of)

COPY

On this 11 th day of November, 2003, personally appeared Wayne A. Weimer, to me known and known to me to be the person described in and who executed the foregoing document, and acknowledged to me that the execution of the same was a free act and deed.



[PERSONALIZED SEAL]

[Signature]
Notary Public Signature

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